

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CIVIL MOTION HEARING

In re Baycol Products Litigation

United States of America *ex rel.*
Laurie Simpson,

Plaintiff-Relator,

v.

Bayer Healthcare, et al.,

Defendants.

COURT MINUTES

BEFORE: Elizabeth Cowan Wright
U.S. Magistrate Judge, Zoom Hearing

Civil Case No.:	08-cv-5758 MJD/ECW
Date:	January 29, 2021
Court Reporter:	Erin Drost
Time Commenced:	1:07 p.m.
Time Concluded:	2:39pm p.m.
Time in Court:	1 hour and 32 minutes

APPEARANCES:

For Plaintiff: Richard Russo, Jr. and Asher Alavi

For Defendant: Joshua Fougere, Jacquelyn Fradette, Katy Ho, Caitlin Hull, and Mackenzi Ehrett

Defendants' Motion to Quash Relator's Deposition Subpoenas (Dkt. 238) is GRANTED IN PART AND DENIED IN PART for the reasons stated on the record at the hearing, as follows:

1. The motion is **DENIED** as to the motion to quash subpoenas;
2. The motion is **DENIED** as to the motion for a protective order prohibiting the depositions of Robert Harrison, Casmir Zygmunt, David Rose, Tig Conger, Pat Stenger, Roger Celesk, and Jack Powell;
3. The motion is **GRANTED** as to the motion for a protective order with respect to Dr. Mark West, who may be deposed in his individual capacity but for whom the scope of the deposition shall exclude examination on the topic that was the subject of the Rule 30(b)(6) deposition that occurred on October 16, 2020; and
4. The motion is **GRANTED** as to the motion for a protective order insofar as Relator's depositions of Dr. Mark West, Robert Harrison, Casmir Zygmunt, David Rose, Tig Conger, Pat Stenger, Roger Celesk, and Jack Powell are limited to 40 hours total on the record and no individual shall be deposed for more than 7 hours on the record.

The parties are to meet and confer regarding the case's schedule and shall file a stipulation or, if disputes remain, a motion, on or before **February 5, 2021**.

☐ ORDER TO BE ISSUED ☒ NO ORDER TO BE ISSUED ☐ R&R TO BE ISSUED ☒ NO R&R TO BE ISSUED

☐ Exhibits retained by the Court ☐ Exhibits returned to counsel

s/EMCS
Law Clerk